

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
TRANSPORTATION POLICY COMMITTEE MEETING

October 21, 2009  
MAG Office, Saguaro Room  
Phoenix, Arizona

MEMBERS ATTENDING

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| Mayor Marie Lopez Rogers, Avondale,<br>Chair                 | * Mark Killian, The Killian Company/Sunny<br>Mesa, Inc.          |
| Mayor Scott Smith, Mesa, Vice Chair                          | # Mayor Jim Lane, Scottsdale                                     |
| Councilmember Ron Aames, Peoria                              | Mayor John Lewis, Gilbert  |
| * Kent Andrews, Salt River Pima-Maricopa<br>Indian Community | * Mayor Jackie Meck, Buckeye                                     |
| * Councilmember Gail Barney, Queen Creek                     | # Councilwoman Peggy Neely, Phoenix                              |
| * Stephen Beard, HDR Engineering Inc.                        | * David Scholl   |
| Dave Berry, Swift Transportation                             | # Mayor Elaine Scruggs, Glendale                                 |
| * Jed Billings, FNF Construction                             | Mayor Lyn Truitt, Surprise                                       |
| Mayor James Cavanaugh, Goodyear                              | * Supervisor Max W. Wilson, Maricopa County                      |
| * Mayor Boyd Dunn, Chandler                                  | Felipe Zubia, State Transportation Board                         |
| # Mayor Hugh Hallman, Tempe                                  | F. Rockne Arnett, Citizens Transportation<br>Oversight Committee |
| Eneas Kane, DMB Associates                                   |  |
- \* Not present  
# Participated by telephone conference call  
+ Participated by videoconference call

1. Call to Order

The meeting of the Transportation Policy Committee (TPC) was called to order by Chair Marie Lopez Rogers at 4:05 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited. Mayor Hugh Hallman, Mayor Jim Lane, Councilwoman Peggy Neely, and Mayor Elaine Scruggs participated by telephone.

Chair Rogers noted materials at each place: the revised agenda, the October Status Report on ARRA projects, a letter from Councilman Barney noting his support for modifying the November

30, 2009, obligation deadline to a milestone date, and a compilation of the materials received at the Transportation Public Meeting.

3. Call to the Audience

Chair Rogers stated that an opportunity is provided to the public to address the Transportation Policy Committee on items that are not on the agenda that are within the jurisdiction of MAG, or non action agenda items that are on the agenda for discussion or information only. Citizens will be requested not to exceed a three minute time period for their comments. An opportunity is provided to comment on agenda items posted for action at the time the item is heard.

Chair Rogers noted that no public comment cards had been turned in.

4. Approval of Consent Agenda

Chair Rogers stated that agenda items #4A, #4B, #4C, and #4D were on the consent agenda. She stated that public comment is provided for consent items, and noted that no public comment cards had been received. Chair Rogers asked members if they would like to remove any of the consent agenda items or have a presentation. None were noted. Councilman Aames moved to recommend approval of consent agenda items #4A, #4B, #4C, and #4D. Mr. Berry seconded, and the motion carried unanimously.

4A. Approval of the September 23, 2009, Meeting Minutes

The Transportation Policy Committee, by consent, approved the September 23, 2009, meeting minutes.

4B. 2009 Annual Report on Status of the Implementation of Proposition 400

A.R.S. 28-6354 requires that MAG issue an annual report on the status of regional transportation projects included in Proposition 400, which was approved by the voters in Maricopa County in November 2004. The 2009 Annual Report is the fifth report in this series and covers the status of the Life Cycle Programs for Freeways/Highways, Arterial Streets, and Transit. A Summary of Findings and Issues was included in the material provided and the full report is available on the MAG website. This item was on the agenda for information and discussion.

4C. Project Changes – Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program

The Transportation Policy Committee, by consent, recommended approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update as shown in the attached tables. The FY 2008-2012 Transportation Improvement Program (TIP) and Regional Transportation Plan 2007 Update were approved by the MAG Regional Council on July 25, 2007. Since that time, there have

been requests from member agencies to modify projects in the programs. These include requests to change locations for two Congestion Mitigation and Air Quality (CMAQ) funded projects, new pavement preservation projects by the Arizona Department of Transportation (ADOT), and financial changes including amounts and type of funds for ADOT projects, and projects funded with the American Recovery and Reinvestment Act (ARRA) funds. On October 1, 2009, the Transportation Review Committee recommended approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update. Since the TRC met, three additional project change requests regarding right of way purchases were requested by ADOT. This request will not affect the current life cycle program cash flow. On October 14, 2009, the Management Committee recommended approval of the requested changes.

4D. Arterial Life Cycle Program Status Report

A Status Report on the Arterial Life Cycle Program (ALCP) is provided for the period between April and September 2009 and will include an update on ALCP Project work, the remaining Fiscal Year 2010 ALCP schedule, program deadlines, and program revenues and finances. This item was on the agenda for information.

5. Update on the American Recovery and Reinvestment Act (ARRA) of 2009: Reallocation of Unused Local/MPO ARRA Funds – Policy Options

Dennis Smith, MAG Executive Director, stated that the Management Committee heard a report and made a recommendation on the possible reallocation of American Recovery and Reinvestment Act (ARRA) of 2009 funds with the understanding that there would be further review by the Transportation Review Committee later this month.

Eileen Yazzie, MAG Transportation Programming Manager, provided a briefing on the American Recovery and Reinvestment Act (ARRA) reallocation of unused Local/MPO ARRA funds and policy options. Ms. Yazzie stated the three types of ARRA funds that came to the MAG region – Highway Discretionary, MPO/Local, and Transit – totaled about \$300 million.

Ms. Yazzie displayed a slide of the Management Committees’ recommendation to the Transportation Policy Committee, which focused on the recommendation that MAG staff continue to explore the following uses for unobligated ARRA funds. Ms. Yazzie explained that items one, two, and three are relevant to local projects and item four is relevant to transit projects. Ms. Yazzie stated that item five is to modify the November 30, 2009, obligation deadline to a project development status review to determine the likelihood to obligate by March 2, 2010 with a final obligation/project development status review deadline in January to be determined.

Ms. Yazzie noted that the Status Report on ARRA funds was updated October 20 and was at each place. She then explained the format of the status report. Ms. Yazzie stated that after the environmental status is cleared, it takes two to four weeks to complete the obligation and MAG staff will be working with Federal Highway Administration and the Arizona Department of

Transportation in November regarding the obligation deadlines. She noted that FHWA is emphasizing that it is the responsibility of local agencies to complete the clearances and documents. She added that the ADOT management consultants are there to assist, but not ensure, that the materials have been submitted.

Ms. Yazzie noted that this month the focus is on the MPO/Local ARRA funds. She noted that the Highway ARRA funds were discussed last month, and RPTA is discussing the Transit ARRA savings through their process. She stated that the RPTA Board meets the next day, and recommendations from the Board will be forwarded to the TPC and Regional Council.

Ms. Yazzie stated that project savings are anticipated through project bids and awards coming in below estimates and from a handful of projects not meeting the obligation deadline. Ms. Yazzie stated that the dollar amount of unobligated funds could be in the range of \$10 million to \$30 million.

Ms. Yazzie stated that key factors that need to be considered as discussion moves forward include project eligibility per federal guidelines, project readiness, and the ability to obligate on time. She noted that MAG staff will be coordinating with ADOT and FHWA on this.

Ms. Yazzie displayed the points of discussion at TRC and Management Committee on policy options for Local/MPO ARRA fund priorities: 1) Providing additional ARRA funds for existing ARRA projects (no increase in scope); 2) Reducing the local match, but not below the minimum set by MAG policy, for other federally funded projects that would obligate by the deadline; 3) Funding other local projects in the regional that are eligible for ARRA funds that could obligate by the deadline; 4) Allowing local determination on the allocation of unspent funds to projects in their jurisdiction. Ms. Yazzie stated that staff will send out a request regarding the policy options to MAG member agencies to solicit any projects that fall in these four categories. Ms. Yazzie reported that MAG staff will meet on Tuesday with FHWA and ADOT regarding the unspent ARRA funds.

Ms. Yazzie displayed the policy options discussed at TRC and Management Committee on Transit ARRA fund priorities: 1) Transferring ARRA funds to transit for operations up to the \$6.4 million limit (ten percent of the ARRA Transit funds); 2) Transfer ARRA to transit for it to serve as a catchall, to the largest degree possible, before transferring funds to highway (there would be no payback of these funds); and 3) No exchange of funds. Ms. Yazzie reported that MAG staff have been meeting with Federal Highway Administration, the City of Phoenix as the Grant Recipient for federal transit funds, and RPTA regarding the impacts of the policy options.

Ms. Yazzie advised that any ARRA funds flexed to the Federal Transit Administration from Federal Highway Administration cannot be used for operations and maintenance, and must be used for capital projects.

Ms. Yazzie displayed the points discussed by the TRC and Management Committee for Highway ARRA fund priorities: 1) Transfer any remaining funds over to ADOT, if necessary; 2) Include

ADOT/Highway as a catchall to ensure that all of the regional ARRA funds are obligated by the federally mandated deadline; 3) Exchange with STP funds. Ms. Yazzie stated that at the next TRC meeting, a recommendation may be forthcoming on the policy options for the MPO/Local ARRA funds, which would then be considered by the Management Committee in November and the TPC and Regional Council in December. Ms. Yazzie stated that any required discussion on modifications would follow in January.

Ms. Yazzie concluded her presentation by saying the proposed motion on screen included additional language requested by member agencies: “and the TRC further review,” to solidify the work with the Transportation Review Committee. Chair Rogers thanked Ms. Yazzie for her report and asked members if they had questions.

Mr. Berry asked for clarification of the changes from the October 14 ARRA Status Report to the October 20 ARRA Status Report. He expressed concern that he had not had sufficient time to consider the changes. Ms. Yazzie replied that the Status Report was for information only and no action on the report was being requested. Eric Anderson, MAG Transportation Director, stated that the Status Report is provided to give an account of the current status of all of the ARRA projects and is for information only.

Chair Rogers expressed that she had requested that the additional language be inserted into the requested motion to clarify that action was not being taken today on ARRA reallocations and would be going back through the committee process.

Mr. Anderson stated that the real impact of the motion is item #5, which modifies the November 30, 2009, date from a hard deadline to a milestone date. He commented that without the modification, if a project did not obligate by November 30, the funds would be taken back by the region and reallocated. Mr. Anderson stated that there are a lot of projects funded by ARRA funds that will obligate in December, January, and February, and the recommendation is to change the November 30 obligation deadline to a milestone date to determine the likelihood if a project will obligate.

Mr. Smith stated that the next time the report is made, ADOT and FHWA will provide the likelihood of projects being able to obligate on time.

Mr. Berry referenced the slides that suggested moving funds between modes, and asked if the TPC was required to respect the firewalls, regional equity, etc., for ARRA funds as in the Proposition 400 process. Mr. Anderson replied that these considerations were not required for ARRA funds. Mr. Berry stated that he understood the ARRA funds were a different source, and asked if they were being used to create balance. Mr. Anderson replied that this action tonight was not to approve any funding, but they anticipate with the current bid environment, there will be project savings on local projects. He advised that the goal is to ensure there is time for reallocation of the project savings to other projects so as to not lose the funds back to Washington, D.C. He commented that the recommended action is basically a notification to the TPC and Regional Council that these are

possible uses for the project savings. Mr. Anderson added that the discussion of priorities has not yet taken place and will begin at the Transportation Review Committee meeting next week.

Mr. Kane stated that MAG is trying to move through a very tight schedule. He asked if there are unallocated funds at what point will there be knowledge that the stimulus funds will not be lost in the region. Mr. Anderson replied that one issue is the November 30 date as a deadline. He explained that the October 28, 2009, Regional Council meeting is the last before that date, and if the Regional Council does not take action, then there is no choice but to take the funds back and then there will not be enough time to reallocate the funds. Mr. Kane commented that the motion needed to be to make it our priority to not lose the funds.

Mayor Hallman asked for clarification if the reallocation could be used for operational purposes. Ms. Yazzie replied that ARRA funds to Highway and MPO/Local must follow STP guidance, which states that they cannot be used for operations or preventive maintenance. She indicated that if the policy direction is given to flex the funds to Transit, the region could use the funds toward a project such as a park and ride lot, which is STP eligible and would free up ARRA Transit funds that could then be used for operations and maintenance.

Mayor Hallman commented that operations should be considered if there is flexibility in these funds. He stated that building more capital projects when cutting operations seemed peculiar to him, and he thought MAG should be looking at operations opportunities as much as possible. Mayor Hallman stated that this might be a one-time backfill, and if the bottom of the economic situation has been reached, services could be preserved to bridge to a better time. Ms. Yazzie commented that she believed the same movements were happening at the RPTA Board, which meets the next day to discuss policy options for unused Transit ARRA funds. She added that she understood their number one priority was operations for the unused Transit ARRA funds.

Chair Rogers noted that a letter from Councilman Barney regarding this issue was submitted for the record.

Chair Rogers stated that additional seating was available in the MAG Cholla Room and attendees could watch the meeting via videoconference.

Chair Rogers recognized public comment from Donna Kruck, an employee of Arizona Bridge to Independent Living (ABIL), which provides advocacy and programs for people with disabilities. She said that transit is very important to the disability community and many of ABIL's care workers use transit. Ms. Kruck stated that ABIL fought hard for the passage of Proposition 400 and she encouraged that the intent of Proposition 400 on the proportion of money for transit be retained. She stated that even more people today rely on transit, including her husband who is unemployed and whose car no longer runs. Ms. Kruck stated that it is vital to have a viable, countywide transit system. Chair Rogers thanked Ms. Kruck for her comments.

Chair Rogers recognized public comment from David Carey, who works at ABIL as an advocate. Mr. Carey stated that he has seen the Valley grow and transit improve a lot over the years. He

stated that he understood the instability of the economy, and cuts need to be made, but he was concerned that if transit goes away, it will not return. Mr. Carey stated that people with disabilities and economic status need to use transit. He said that he works with youth to get them involved in using transit. Mr. Carey expressed his fear that if transit service is removed, getting youth used to using transit will be lost. He said that he hoped the intent of Proposition 400 to keep and expand transit across the Valley is kept. Chair Rogers expressed her appreciation for the comments, which are crucial to decision making.

Councilman Aames asked that the requested motion be displayed onscreen. He moved to recommend that MAG staff and the Transportation Review Committee further explore the following uses for the reallocation of unobligated ARRA be considered, with the priorities for the uses be set next month based on further consideration: 1) Additional ARRA funds for existing ARRA projects, however, no increase in scope would be allowed, 2) Reduction in the local match, but not below the minimum set by MAG policy, for other federally funded projects that will obligate by the deadline, 3) Other local projects in the region that are eligible for ARRA funds and can obligate by the deadline, 4) Transfer funds to Transit, and 5) Modify the November 30, 2009 obligation deadline to a project development status review to determine the likelihood to obligate by March 2, 2010 with a final obligation/project development status review deadline in January to be determined. Mayor Truitt seconded.

Mayor Hallman asked for clarification that the motion says that the priorities will be set and that operations will be one of the uses considered. Councilman Aames replied that was correct.

Mr. Smith asked for clarification from Councilman Aames that his motion that item #5 modifies the November 30, 2009 deadline to a status review date. He noted that this part of the recommendation would not go back to the Transportation Review Committee for action. Councilman Aames as maker of the motion, and Mayor Truitt as second, agreed with the clarification.

Mayor Cavanaugh asked for clarification of the modification. Mr. Smith explained that items one through four would go back through the MAG committee process and back to the TPC at its next meeting, and they need to notify people that the November 30 date is now a milestone date. He said that a report will be provided in December on the projects that will obligate and the projects that will not. Mayor Cavanaugh asked for clarification of the January date. Ms. Yazzie replied that the motion directs that "the final obligation/project development status review deadline in January is to be determined."

Mayor Lewis asked for clarification that the next meeting was December 2, 2009, and the purpose was to clarify that the November 30 date was a milestone date. Ms. Yazzie replied that was correct.

With no further discussion, the motion passed unanimously.

6. Consideration of Tentative Scenario for Balancing the Proposition 400 Regional Freeway and Highway Program

Mr. Smith stated that for the past several months, the Transportation Policy Committee has been discussing a tentative scenario as a means for bridging the funding gap in the Freeway and Highway Program. He advised that by law, the Program is required to be balanced.

Mr. Anderson stated that a compilation of the materials received at the Transportation Public Meeting on October 13, 2009, was at each place. He reviewed some of the comments received: 1) Due to widening of Grand Avenue there could be a safety issue with the entrance to the hospital and two additional grade separations might be needed at 103<sup>rd</sup> Avenue and 107<sup>th</sup> Avenue. 2) A request by landowners on Gila River Indian Community land who would like to receive a proposal for building the South Mountain Freeway on tribal lands as an alternative to Pecos Road. 3) A request that the transit funding level not be reduced. 4) The need to use commuter rail and bus rapid transit instead of light rail in the I-10 corridor. 5) Maintain flexibility and efficiency in decisions made, due to the volatility in the economy. 6) Urge that light rail extend its service in population centers and make more investment downtown.

Mr. Anderson reported that the Proposition 400 sales tax revenue for the first quarter of 2009 was 13 percent less than the first quarter of 2008. He commented that the sales tax revenue is basically back to 2005. Mr. Anderson noted that until this economic downturn, sales tax revenue has never had a decline since tracking began in 1960.

Mr. Anderson displayed a map of the foreclosed residential properties for sale as of September 2009, which totaled about 13,500 properties. The next map showed a total of about 47,000 residential properties facing foreclosure as of September 2009. Mr. Anderson displayed a map of the two previous maps combined and noted that together they represent about 60,000 residences. He noted that in total, there about 1.5 million housing units in Maricopa County.

Mr. Anderson stated that the Phoenix-Mesa unemployment rate was 8.3 percent, which is lower than a lot of other metro areas. He said that people may have moved elsewhere, become discouraged looking for work, or have accepted part-time positions and are not counted as unemployed. Mr. Anderson noted that the region's unemployment rate has increased more than five and one-half percent over the past three years (August 2006 to August 2009). He stated that the one year change in the unemployment rate is not as high as other metro areas, probably because ours happened early on in the economic downturn. Mr. Anderson noted that the unemployment rate in Portland, Oregon, increased five percent in one year.

Mr. Anderson stated that the selling price per square foot for housing is now less than \$100, when at the peak in 2006 it was in the \$150 per square foot range. He commented that housing was traditionally affordable in the MAG region and at the peak, the market was losing that affordability factor.



Bob Hazlett, MAG Senior Engineer, provided a presentation on the tentative scenario that has been developed to address the funding gap in the Regional Freeway and Highway Program. He said that the Regional Transportation Plan budget is about \$9.4 billion and the ADOT cost opinion is approximately \$16 billion. Mr. Hazlett stated that projects obligated in FY 2010 total about \$2.7 billion and ADOT's cost opinion to complete the program is approximately \$13 billion. He noted that approximately \$6.6 billion is available to finish the program, leaving a deficit of \$6.6 billion.

Mr. Hazlett stated that the tentative scenario was based on four guiding principles: management strategies, value engineering, deferrals, and stay the course. He noted that management strategies (how the program is being administered) identified about \$800 million in cost savings, due to lower construction costs, right of way prices, and systemwide costs for such things as the freeway management system, costs for right of way acquisition, maintenance, noise mitigation, management consultants, and minor projects. Mr. Hazlett stated that the other guiding principles were value engineering, deferrals, and staying the course to maintain core enhancements.

Mr. Hazlett displayed a map of the project changes in the tentative scenario, and commented that the recommendations to bring the program in balance occur Valleywide. Mr. Hazlett stated that the value engineering recommendations focused mostly on new corridors (Loop 303 from I-10 to I-17) and Loop 202 (South Mountain) and represent approximately \$1.7 billion in savings. He noted that the Regional Transportation Plan (RTP) estimate for Loop 303 was \$1.4 billion and the 2009 ADOT cost opinion was approximately \$2.9 billion. Mr. Hazlett reported that value engineering reduced the cost to complete the corridor about \$1.3 billion.

Mr. Hazlett stated that the ADOT cost opinion in June 2008 for the Loop 303/I-10 interchange was \$760 million, and this amount has been reduced to \$518 million, which might be further reduced to about \$400 million. He noted that the City of Surprise agrees with the alternative design for the US-60/Grand Avenue traffic interchange that will save about \$150 million and will retain service levels.

Mr. Hazlett indicated that staff is working with the City of Glendale, City of Peoria, City of El Mirage, and Maricopa County to get the best connection at the ramps at Northern Parkway and Loop 303 to accommodate travel demand.

Mr. Hazlett stated that the RTP included approximately \$1.1 billion for the South Mountain Freeway, and it appears the cost could be reduced to about \$1.9 billion from the ADOT cost opinion of about \$2.5 billion by utilizing the narrower Proposition 300 cross section, selecting a 59th Avenue alignment, and applying lower construction and right of way contingency costs. Mr. Hazlett replied that ADOT owns about 95 percent of the right of way needed.

Mr. Hazlett said that they looked at deferrals in three different categories: entire corridor deferral, general purpose land deferrals, and right of way preservation deferrals. He displayed a map of the deferrals and noted that the largest was the I-10 Reliever (SR-801) from SR-85 to Loop 202, which results in the Loop 303 from SR-801 to I-10 a likely candidate for deferral. Mr. Hazlett noted that

an interim facility will be constructed on SR-802 from Ellsworth to Loop 202, but defer the rest of the corridor because the route in Pinal County is not yet defined.

Mr. Hazlett noted that the recommendation is to build out the HOV lane system on Loop 101 and Loop 202, and he noted that their construction in the median is a cost effective way to create capacity. He stated that the general purpose lane deferrals included those on the Agua Fria Freeway, I-17, SR-51, and Loop 202 from Gilbert Road to US-60 and US-60 to I-10. Mr. Hazlett said that they recommend general purpose lanes be constructed on the Pima and Price freeways and a section of Loop 202. Mr. Hazlett stated that the tentative scenario recommends the direct HOV ramps at the I-10 and I-17 interchanges be deferred at this time, due to the significant reconstruction of both traffic interchanges that would be required.

Mr. Hazlett stated that the tentative scenario recommends the right of way protection for SR-74 and Loop 303 be deferred.

Mr. Hazlett noted that included in the tentative scenario is a draft deferral policy for the TPC to consider because there needs to be some sort of policy to bring the projects back into the program. Mr. Hazlett stated that there are two principles in the draft policy: 1) Maintain the original project priority, and as funds become available the projects could be brought back in. 2) Capture the cost savings from a deferred corridor.

Mr. Hazlett reviewed the stay the course recommendations, and he noted that the tentative scenario includes \$1 billion for I-17 from the I-10 Split to the Arizona Canal, adding more general purpose lanes on I-10 from Loop 101 to I-17, and improving the west Sky Harbor interchange to accommodate Homeland Security measures.

Mr. Hazlett stated that the management strategies could save about \$800 million, value engineering about \$1.7 billion, deferrals about \$4.1 billion, and stay the course about \$30 million, bringing the new regional freeway program cost opinion to about \$9.4 billion – the amount in the original RTP.

Mr. Hazlett stated that the tentative scenario includes recommendations on how to bring projects back into the program, how to do a better job of revenue monitoring, looking for opportunities for future funds, alternative funds, and other federal funds, project delivery methods, and right of way preservation. He advised that they recommend completing the environmental assessments for the deferred corridors in order to establish the centerlines. Chair Rogers asked members if they had questions for Mr. Hazlett or Mr. Anderson.

Mayor Cavanaugh asked the plan for prioritizing deferrals. Mr. Hazlett replied that the tentative scenario recommends considering deferrals in two ways: 1) If there are project savings in the corridor, the savings would stay in the corridor and used on the deferred project. 2) Maintain the same priorities as the Regional Transportation Plan, and as funds become available, deferred projects are brought back according to the priority.

Mayor Cavanaugh asked if the requested action preserved the two options in the tentative scenario and there would be no question at a later time. Mr. Anderson replied that was correct.

Councilman Aames asked for clarification that the item was on the agenda for possible action. He spoke about possible traffic issues with putting in HOV lanes but using them as general purpose lanes because the direct HOV lane connections from Loop 101 to I-10 and I-17 would be deferred. Mr. Anderson stated that MAG staff had spoken to Peoria staff about this. He said MAG would like to do more detailed technical analysis. Mr. Anderson noted that there is not a direct connection from Loop 101 to I-17 but a significant amount of traffic crosses I-17 eastbound and westbound. Mr. Anderson stated that 35 miles of HOV lanes were just opened and they want to move carefully if any changes are made. He stated that this additional lane on the Agua Fria is not scheduled for a while, and there is time for technical analysis. Mr. Anderson stated that this will be brought back to the TPC at a later date.

Mr. Kane asked Mr. Hazlett to elaborate on what was driving the design and the model to conclude that a parkway for the South Mountain corridor would not be a feasible option long term. Mr. Hazlett stated that there is a lot of residential population in Tolleson, Estrella Village, Avondale, Goodyear, etc., and in Chandler there is a good-sized business area, Intel and Motorola, and vice versa. Mr. Hazlett stated that a lot of traffic wants to go back and forth between the two areas. Mr. Anderson noted that the model was done on the 2025 and 2030 projections and a lot of employment is projected for both areas and a lot of commutation will take place in both directions in both AM and PM peak periods. Mr. Kane commented that this was driven by a jobs and housing balance wanting the most direct route. Mr. Hazlett replied that was correct.

Chair Rogers noted that this agenda item has generated extensive interest and she asked that those wishing to offer public comment be as concise as possible when providing comments, and if someone has already stated their position on the issue, to express agreement instead of repeating the same comments, in order that everyone who wishes to speak could be accommodated. She stated that written comments will also be accepted, either tonight or before the Regional Council meeting next week.

Chair Rogers recognized public comment from Woody Thomas, who stated that when Proposition 400 was being proposed the TPC included hard firewalls so that what happened with Proposition 300 would not happen again. He stated that the West Valley is still limited in east/west mobility. Mr. Thomas stated that with the economic upheaval, it is time to take a fresh look at what the Regional Transportation Plan could accomplish. He stated that any intersection improvements should be deferred. Mr. Thomas stated that this is a regional transportation plan and with the downturn of income, we no longer have the luxury of intersection improvements but need to focus on highways. He stated that this is where bus rapid transit comes in, which is the cheapest form of transportation and could be converted to high capacity rail someday, as noted in the MAG High Capacity Transit Study. Mr. Thomas stated that he is on the South Mountain Corridor Assessment Team, and all he hears is "Not in My Back Yard." He stated that it is a fact of life that all freeways increase noise and pollution. Mr. Thomas suggested that the 51<sup>st</sup> Avenue alignment be retained due to ADOT's commitment to make the connection from Loop 101 to Loop 202 to the Durango Curve

and to increase interoperability. He referenced a MAG report called “Moving Arizona One, Building a Central Corridor,” which said that we need an average of more than \$25 billion over the next 20 years – an increase of 1.3 cents per one dollar. Mr. Thomas’s time expired. He stated that 70 cents is needed for commuter rail, bus rapid transit, light rail, and a new corridor from Phoenix to Tucson. Mr. Thomas noted that \$2.2 billion will build a regional rail system and the operating funds could come from the funds used to maintain highways. Chair Rogers thanked Mr. Thomas for his comments.

Chair Rogers recognized public comment from David Gironda, from Phoenix, representing himself as a citizen. Mr. Gironda stated that he is engaged in community organizations, including the Phoenix Mountain Preservation Council, which has opposed for years going through the South Mountain Park ridges. He pointed out what the cuts would look like on the illustration he provided to members. Mr. Gironda stated the amount of money it will take to do the cuts and fills on the west end of the park could represent up to half of the \$1.9 billion to \$2.5 billion cost to build the freeway, and these funds could be put into other things, such as transit. He commented that he did not think it was critical to connect the massive population in Maryvale and Avondale, because if you superimpose the map of the freeway system with the map of housing in default, you find these areas are full of empty homes. Mr. Gironda stated that the situation in Maryvale is severe and many stores are ready to close because the people are gone. He noted that the population will not recover for years. Mr. Gironda stated that the projections used were from the 2005 Census and most areas have seen reductions in population and housing growth. Mr. Gironda requested that the TPC make a provision to allow for readdressing this in the future as more data become available. He commented that he did not think that \$2 billion needed to be spent on a freeway intensely opposed by citizens. Chair Rogers thanked Mr. Gironda for his comments.

Chair Rogers recognized public comment from Darius Enos, a member of the Gila River Indian Community, who said that he holds the same position as the previous speakers. He said that whether the freeway is on tribal land or not, it will bring pollution and garbage to the community. He stated that it would be helpful to have a freeway so he could get to Chandler in a short amount of time, but he cannot let this happen to the mountain. Mr. Enos stated that he has ties to the mountain and to the land. He stated that there could be economic development opportunities for the Gila River Indian Community, but he could not agree to the freeway because of his heritage. Mr. Enos expressed his hope that the TPC would understand because the freeway will be in his back yard, in Chandler’s back yard, and in Ahwatukee’s back yard. He stated that it is important to him and to future generations. Chair Rogers thanked Mr. Enos for his comments.

Chair Rogers recognized public comment from Alex Soto, who said he resides in Phoenix but has familial roots in the South Mountain. He expressed his disagreement that a freeway be built on the border of the Gila River Indian Community or on the Gila River Indian Community reservation, as mentioned by a Phoenix City Councilman. Mr. Soto stated that some newspaper articles erroneously called them Gilas, perhaps to dehumanize them. Mr. Soto stated that his grandparents were raised and buried in the area and he felt the proposed freeway was a desecration. He noted that the Gila River Indian Community has passed two resolutions against the freeway and he felt everyone should respect that. Chair Rogers thanked Mr. Soto for his comments.

Chair Rogers recognized public comment from Linda Paloma Allen, District Five, who expressed that she understood the Ahwatukee residents' bitterness toward their homes being razed, but they have only owned their homes for ten to twenty years and the Native Americans have had their lands for hundreds of years. Ms. Allen stated that these are the lands their ancestors loved and they hope their children will have the opportunity to love. She said that they are protecting something that means much more to them. Ms. Allen stated that their responsibility is to protect the lands. She noted that another problem is illegal dumping, and she has not yet heard that an environmental assessment has been done on that. Ms. Allen stated that they said no to the freeway because their lands have been reduced enough already, their river was taken away, and enough is enough. Ms. Allen stated that her grandparents did not endure what they went through so that there would be a freeway through their cemetery. She stated that they do not want growth for the sake of growth. Ms. Allen thought it should be illegal for Sal DiCiccio to benefit financially for a plan he is drafting and promoting. Chair Rogers thanked Ms. Allen for her comments.

Chair Rogers recognized public comment from Vashti Suplee, a member of the Phoenix Mountain Preservation Council and a professional wildlife biologist. She expressed her concern with the corridor is the route through South Mountain Park, which is a legacy of the Valley since the 1920s and is the largest natural area park in the United States. Ms. Suplee stated that there is a lot of history there, where the Civilian Conservation Corps built roads and trails during the Depression. She stated that not many people have been to the area where the freeway is planned, and she noted that the planned elevations are unfortunate for wildlife. Ms. Suplee suggested that there would be a serious discussion of wildlife impacts in the environmental impact statement, and the mitigation costs might negate any cost savings. She encouraged MAG to facilitate more discussion of this route and the benefits and detriments. Ms. Suplee expressed that the discussion on whether the freeway would be on Gila River Indian Community land or South Mountain Park grieved her because they all have sacred traditional values. Chair Rogers thanked Ms. Suplee for her comments.

Chair Rogers recognized public comment from Wes Lines, a resident of Laveen, who said that he was born and raised here and has seen the city grow and grow. He noted that his grandfather bought the land at 51<sup>st</sup> Avenue and Estrella, where he now resides, in the 1960s. Mr. Lines requested that the South Mountain Freeway be built. He commented that 51<sup>st</sup> Avenue cannot handle the traffic it currently carries; people use it to drive to Tucson and there are too many trucks and accidents. He also requested that the freeway be built for pollution reasons because the big trucks have to start and stop as they make their way to I-10, which would not happen with Loop 202. He said it would also relieve costs because you would not have to expand Deck Park Tunnel and the Broadway Curve. Mr. Lines stated that the freeway should also connect Laveen to Ahwatukee. He noted that he was chair of the Laveen Planning Committee and the freeway would help with the community college and hospital they are planning and enable them to work and be connected with the Ahwatukee villages. Mr. Lines added that he also served on the South Mountain Community Advisory Team. Chair Rogers thanked Mr. Lines for his comments.

Chair Rogers recognized public comment from Jacob Findlay, a resident of Laveen and member of the Laveen Planning Committee, who expressed that he was absolutely in favor of the South

Mountain Freeway being constructed. He commented that it was unfortunate that it will be reduced in size, but whatever it takes to get it built, he supported. Mr. Findlay expressed his concern for the environmental impact on South Mountain, and said that while it is unfortunate there will be a cut-through, as with anything in life, it must be balanced with reality and the reality is that the freeway is desperately needed. He stated that he moved to this area because the freeway would be built and he knew it may not happen. Mr. Findlay stated that the City of Phoenix is laid out with commercial cores where people can live where they work, and eliminates bedroom communities. He noted that Laveen is a bedroom community. Mr. Findlay stated that in anticipation of commercial construction, he has encouraged other professionals to locate in Laveen, but that happening depends on whether the freeway is built. For that reason, Mr. Findlay requested that the freeway be built as soon as possible, and he will volunteer for construction work on the weekends if that is what it takes. Chair Rogers thanked Mr. Findlay for his comments.

Chair Rogers recognized public comment from Shannon Rivers from the Gila River Indian Community. He stated that no one individual can make decisions; the Council is put in front of us by the people. Mr. Rivers stated that the Salt River and Gila River Indian Community recognize several sacred areas: Red Mountain, Saddleback Mountain, Sandy Mountain, and South Mountain, which has burial sites, archaeological sites, and ancient shrines honored for many centuries. He stated that as a native people, they understand that non native people will take more lands and they struggle with this every day. Mr. Rivers stated that he is co-chair of the Indigenous Peoples Caucus at the United Nations level on the United Nations permanent forum on indigenous issues. He said that part of his job is recognizing the rights of indigenous people, who have suffered atrocities and had their lands and natural resources taken without consideration for their sovereignty or spiritual or religious freedoms. Mr. Rivers stated that they recognize the South Mountain as a sacred area they have used for centuries long before you arrived. He said that some say they bought their lot in 1988, but his ancestors never bought a lot – they have been here since time immemorial. Mr. Rivers said that he does not listen to those who say how long his people have supposed to have been here. Mr. Rivers' time expired and he apologized for going over. He said that people say to expand because it is easier access, but it should be maintained as a sacred site. This is not about easier access, it is about the rights of people. Mr. Rivers stated that there needs to be concern for the animals and the environmental impact. Chair Rogers thanked Mr. Rivers for his comments.

Chair Rogers recognized public comment from Cher Thomas, who spoke in her native language, which translated meant, "I am a person of the Gila River." She stated that she was not a Gila Indian and had never heard of one. Ms. Thomas stated that as different governments debate this or find a solution, it needs to start at a place of respect and the ultimate place of respect is getting the name right. She stated that they are Pima, which means River People, and Maricopa, which means People, of the Gila River Indian Community. Ms. Thomas stated that they come from a place of worship when it comes to this mountain and no amount of money, no amount of talk could make a holy place unholy. She stated that you come from a place of dollars, cents, time and convenience. They come from generations who have looked on these mountains and they reminded them of who they are. Ms. Thomas stated that on the opposite side of the mountain the red lights blink all the time because of convenience; there is a picnic table with gang signs nearby the ancient petroglyphs; and places sacred to them where no one should go unless they are a holy person is next

to an access road. Ms. Thomas stated that she comes as an advocate for peace and discussion, but they will not put up with commands or demands. Chair Rogers thanked Ms. Thomas for her comments.

Chair Rogers recognized public comment from Kermit Raphael, from the Gila River Indian Community, who said that he lives nearby the proposed freeway route. Mr. Raphael expressed his opposition to the freeway because it will be too much chaos and problems for his community. He said that his chief concern is the demolition of a very sacred mountain. Mr. Raphael stated that his maternal grandfather told him stories about the mountain; there is an entity there and disturbing that entity could cause chaos. Mr. Raphael stated that this is his belief and the TPC did not have to believe it, but he requested that they take this into consideration. Chair Rogers thanked Mr. Raphael for his comments.

Chair Rogers recognized public comment from Lori Riddle from the Gila River Indian Community, a single mother, who has been an organizer in the community for more than half her life. Ms. Riddle noted that she was a founder of the Gila River Alliance for a Clean Environment. She expressed her opposition to the freeway because it impedes their cultural sensitivity. Ms. Riddle noted the number of young people who attended the meeting to speak about their cultural heritage to people who do not understand it and call them Gilas, which is disrespectful. She stated that they live in harmony, and even though they experience problems with gangs, drugs and alcohol, they are still a people whose heritage goes back hundreds and thousands of years. Ms. Riddle stated that they honor the land, the mountains, where they pray, fast, prepare and gather strength. She stated that they do not want the mountain blown up for the sake of profit. Ms. Riddle stated that they are willing to talk, but the Community has made the decision not to support the freeway going through. She asked that their voices be heard or they will be back stronger and their numbers will be larger. Chair Rogers thanked Ms. Riddle for her comments.

Chair Rogers recognized public comment from Kevin Jose, who extended a welcome to what was once the land of the Hohokam. Mr. Jose expressed his opposition to this freeway and said that the South Mountain is part of who they are as a people and where the Creator had started. He stated that there are sacred sites there – shrines and remains – and it disturbs them and the peace if it is blown up. Mr. Jose stated that bringing destruction to that area will devour them and bringing that to their community is like sweeping dirt under the rug, which is not right. He stated that no profit can buy land or this culture. This is what makes us strong and binds us together. Mr. Jose stated that it is important they carry on their traditions and their way of life. Disturbing that is breaking them and establishing a freeway there kills them. Mr. Jose stated that many say to put the freeway on the reservation because they have casinos and they do not care, but they as a people have heart and soul and oppose this freeway. Chair Rogers thanked Mr. Jose for his comments.

Chair Rogers recognized public comment from Joseph Morago from the Gila River Indian Community, who said that his family is from District 3. Mr. Morago stated that this freeway proposal has been around since the 1960s. When his mother was at ASU, she was told that Tucson and Phoenix would be connected. Mr. Morago stated that he has been opposed to a freeway coming through his land all of his life. He stated that it will cause illegal dumping and harm to

wildlife and to the environment. Mr. Morago expressed that he understood the concerns of Ahwatukee, Chandler and Phoenix. They see open land and they will not have to disturb their neighborhoods, but his people were here first. He stated that he has lived in Phoenix and grew up in the city. Mr. Morago stated that he goes to South Mountain and sees the City on one side and his Native American heritage on the other. He said that he understood that Phoenix is the fourth largest city in the United States and has traffic concerns, and people need to go from Point A to Point B, but not at the cost of natural resources or their sovereignty. Mr. Morago stated that the Gila River Indian Community Council made a decision to fight this, and as a member, he will oppose this and fight this every step of the way. Mr. Morago stated that he felt the TPC was being culturally insensitive to their needs. He commented that people see the Gila River Indian Community land as open and undeveloped land and see an easy way out, but it is not. Mr. Morago stated that he sees development along Baseline Road, which used to be a two-lane highway, and the West Valley was a farming community. He stated that he will fight this freeway all the way because he did not feel it was right and not the best for the community. Chair Rogers thanked Mr. Morago for his comments.

Chair Rogers asked if there were any final comments from the committee. None were noted.

Chair Rogers stated that there are both opposition and support for this issue and alternatives to the conversation will continue at ADOT and MAG. She said that the comments made at the meeting would be entered into the record, and noted that there are other opportunities where people need to be heard, such as at ADOT and at the MAG Regional Council meeting. Chair Rogers stated that voices are important in this process and she appreciated hearing voices from both sides of the aisle.

Vice Chair Smith stated that as Chair Rogers said, there are emotions on each side of this issue. He remarked that he had been in office only one and one-half years, but has been familiar with the challenge of the South Mountain Freeway for 20 years. Vice Chair Smith added that on many freeway programs, debate continues for decades. He stated that the reality is that we live in the Valley which has grown tremendously and has seen transportation realities change over the years. Vice Chair Smith stated that the Valley has an interstate system that dumps hundreds of thousands of cars into the middle of the city and the alternatives to take care of the traffic are seriously limited. He commented that no solution is perfect, but there is an overriding need to take care of those issues. Vice Chair Smith stated that this region, as home to millions of people, cannot ignore the needs and the health and vitality of the region depends on that. He said that as Chair Rogers said, this is not the last time the South Mountain Freeway will be debated and this is not the last time a final decision will be made, but this freeway has been in the Plan. Vice Chair Smith stated that if MAG had not been going through this process to balance the plan, this freeway would not have been discussed. He stated that the South Mountain Freeway has been in the Plan for a long time and will continue to be debated, but he felt MAG needed to move forward with the Plan and respect the Plan that already has been debated.

Vice Chair Smith moved to recommend approval of a tentative scenario for the MAG Regional Freeway and Highway Program to balance the Proposition 400 Regional Freeway and Highway Program and to incorporate it into the Regional Transportation Plan 2010 Update and the FY 2011-



2015 MAG Transportation Improvement Program, with the understanding that due to the present cost and revenue uncertainties that this represents a placeholder and the program will be reevaluated in 18 months.

Mr. Kane, upon seconding the motion, stated that he served as a member of Peripheral B Planning Area approximately 26 or 27 years ago, before the areas south of South Mountain were fully developed and shortly after Phoenix adopted the Village Plan. He noted that they realized that the Villages did not work independently in terms of transportation. Mr. Kane stated that he continues to believe that the South Mountain Loop needs to be approved with great environmental sensitivity and with an eye to limiting its impacts further, and with respect to the Gila River Indian Community from a design perspective. He remarked that this will be an ongoing debate for years ahead and hopefully be approached from a creative perspective. Mr. Kane explained that he seconded the motion because the job of the TPC is to balance the Plan that they achieved with a great amount of work. He further said that it was his belief the motion preserves the set priorities that caused them all to become regionalists and deals with the dynamics of the economics and function of the RTP.

Chair Rogers asked if there was discussion of the motion.

Councilwoman Neely thanked everyone who came out to the meeting. She indicated that she would add a little history for the record. Councilwoman Neely stated that the current proposed alignment on Pecos Road around the South Mountain, and the north alignment of 55th Avenue/59th Avenue, was approved by the State Transportation Board in 1988, and has been basis for the standards and decisions for the past 21 years. Councilwoman Neely stated that the ultimate decision rests with ADOT and FHWA through the environmental impact statement (EIS). She expressed that she wanted it to be clear, the action is to move our financial plan forward. Councilwoman Neely stated that a lot of testimony was heard tonight, but the EIS needs to be completed for final siting of this roadway. She stated that there are other places for folks to comment on the South Mountain EIS, but what the TPC and the Regional Council are doing is balancing the Proposition 400 dollars. Councilwoman Neely reminded the speakers that this has been in the making for a long time and their input is also important at those other agencies. She indicated that she would support the motion to balance the budget.

With no further discussion, the vote on the motion passed unanimously.

Chair Rogers thanked everyone for attending the meeting.

7. Legislative Update

No report.

8. Request for Future Agenda Items

Topics or issues of interest that the Transportation Policy Committee would like to have considered for discussion at a future meeting will be requested.

No requests were noted.

9. Adjournment

There being no further business, the meeting adjourned at 6:00 p.m.

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Chair

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Secretary